



**State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-2457 FAX (603) 271-7894



Mr. Brian Shields  
The Manor on Golden Pond  
PO Box T  
Holderness, New Hampshire 03245

**LETTER OF DEFICIENCY**  
WMB PBF 03-39  
September 23, 2003

Dear Mr. Shields:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On August 21, 2003, DES inspected the pool at The Manor on Golden Pond, in Holderness, NH ("the Pool").

During this inspection, the following deficiencies were noted:

1. Env-Ws 1105.01(j) requires a rope with attached floats a ("breakpoint safety line") to be placed across public pools over the break in depth between the shallow and deep portions of the pool. A breakpoint safety line was not present in the Pool at the time of the inspection.
2. Pursuant to Env-Ws 1103.11, all outdoor swimming pools shall have a wall, fence or other enclosure constructed around the entire pool or recreational area, which shall include self-closing and self-latching gates and shall be a minimum of 4 feet high measured on the inside and outside. The enclosure surrounding the Pool is not 4 feet high and does not include self-closing and latching gates.
3. Env-Ws 1105.01(k)(19) requires pool filtration systems to include a flow meter. The filtration system for the Pool did not include a functioning flow meter.
4. Env-Ws 1103.05 requires shower facilities to be provided at all public bathing facilities. There is no shower at the Pool.
5. Env-Ws 1103.08 requires toilet facilities to be provided for both sexes and conveniently located for use. There are no toilets for use at the Pool.

DES believes the cited deficiencies can be corrected prior to summer season 2004. A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include a timetable of when: the installation of fencing will be completed; and the installation of a functioning flow meter will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

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We appreciate your cooperation in this matter. Please contact Amy Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,  
  
**COPY**  
Jody Connor  
Limnology Center Director

Certified Mail # 7000 1670 0000 0585 9947

cc: Mark Harbaugh, Enforcement Attorney, DES  
Amy Wilson, Public Bathing Facility Coordinator, DES  
Richard Marden, Health Officer, Town of Holderness

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